

A RESOLUTION

BY: CITY UTILITIES COMMITTEE

02-R-1379

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LOCAL ASSISTANCE ROAD PROGRAM AGREEMENT FOR PROJECT NO. PR 8532-73 (121), FOR THE PURPOSE OF RESURFACING CITY STREETS, AND FOR OTHER PURPOSES:

WHEREAS, the Georgia Department of Transportation has agreed to resurface four streets, 2.380 miles of roadway in the City of Atlanta in connection with the Local Assistance Road Program and has presented two agreements for execution by the City of Atlanta, and it is deemed beneficial to the City of Atlanta to participate in this program; and

WHEREAS, Project PR 8532-73 (121) will benefit citizens in certain City Council Districts within the City of Atlanta, County of Fulton.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA that the Mayor be and is hereby authorized to execute a Local Assistance Road Program Agreement for Project PR 8532-73 (121), in substantially the form attached hereto, Exhibit "A", for the purpose of resurfacing the following streets, and for other purposes:

1. **Browns Mill Road**, SE from Southside Industrial Pkwy to Macedonia Rd
2. **King Arthur Road**, SW from Austin Rd to Dead End
3. **King Henry Road**, SW from Austin Rd to Dead End
4. **Ormewood Avenue**, SE from Boulevard to Woodland Ave

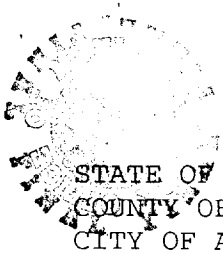
BE IT FURTHER RESOLVED that a description of Project PR 8531-86 (089) is attached hereto as Exhibit "B".

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

SEP 03, 2002
SEP 11, 2002



**DEPARTMENT OF TRANSPORTATION
CITY RIGHT OF WAY AGREEMENT**

The DEPARTMENT will assist the CITY in constructing a project for the improvement of 2.38 miles of resurfacing on Four Streets as per attached sketch and designated as Project Number PR 8532-73 (121), hereinafter referred to as the "Project", a complete plan of said project is on file at the appropriate District Office of the Department of Transportation, on which reference is hereby made for all purposes;

Therefore, in consideration of the mutual benefit to the parties derived from the construction, installation and operation of said improvements, the CITY agrees as follows:

The CITY agrees to furnish, at no expense to the Department of Transportation, good and sufficient title, to provide Right of Way, necessary for the proper construction and maintenance of the above named project in accordance with pertinent agreements and regulations, according to the plans prepared by the DEPARTMENT, including any drainage deemed necessary by the Department or it's engineers, within the limits of said CITY.

The CITY agrees to provide for it's proper maintenance after completion of said improvements, and will make ample provisions each year for such maintenance.

The CITY agrees that when the above numbered project is advertised for letting, the CITY will arrange with various utility owners to place underground facilities that are approved to remain under the pavement in a satisfactory state of repair except where this phase of work is covered by separate agreements.

The CITY further agrees to assume responsibility for and cooperate with the Utility Owners in the moving, setting back, replacing or lowering of all customer's service connections, including gas lines, telephone lines, electric power lines, water mains and sanitary sewer connections to clear construction by one foot whether such facilities are publicly or privately owned except where this phase is covered by separate agreement. Additionally, the CITY will require stubs and headers to be installed to avoid future cutting of the pavement.

It is further agreed that after construction is completed on off-system projects, no new or additional utilities facilities will be allowed to encroach on the rights of way for this project except under permit issued by the CITY in accordance with the policies of the Department of Transportation, with special emphasis on the Department's prohibition on pavement cuts in new and widened roadways.

The CITY agrees to remove any existing structures or obstructions as provided in pertinent agreements, prior to advertisement for letting and to prevent any future encroachments upon the right of way limits of said roadway not covered by permits duly issued by the Department or the CITY; and furthermore agrees, obligates and binds itself in accordance with Title 40 of the Georgia Code that it will not pass any laws, rules, regulations or ordinances which penalize, hinder or otherwise obstruct the free movement of vehicular traffic on said roadway, including angle parking, nor erect any traffic signals, towers or lights on the said right of way without written consent of the DEPARTMENT.

The CITY agrees that prior to, during and after completion of the construction of the above named Project, the CITY shall defend and hold harmless the Department of Transportation for any liability for direct or consequential damages resulting from personal injury, property damages, or inverse condemnation, except for that which is the result of the sole negligence of the Department of Transportation. After completion and final acceptance by the Department, of the Project, the CITY assumes complete ownership, control, and responsibility, including any liability for the above named Project.

This Agreement is made and entered into in Dekalb County, Georgia, and shall be governed and construed under the Laws of the State of Georgia.

This the ____ day of _____, 2002.

Shirley Franklin Mayor

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF ATLANTA

I, _____, as Clerk of said City, do hereby certify that I am custodian of the books and records of the same, and that the above and foregoing copy of the original is now on file in my office, and that the Mayor of the City was authorized and directed to execute the same for and in behalf of said City.

Witness my hand and official signature, this ____ day of _____, 2002.

City Clerk

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF ATLANTA

This is to certify, that in my opinion, the dedication of the streets named and described above is complete.

City Attorney Date

Roads/Streets in: FULTON		/ ATLANTA		Project Number: PR 8532-73 (121)	
1	Road Name...: BROWNS MILL RD Co. Rd. No...: CS Beginning At: SOUTHSIDE INDUSTRIAL PKWY Ending At...: MACEDONIA RD	Length: 0.880MI Width(Ft): 32 Required Striping: Center, Lane(s)	Proposed Construction: Superpave Design Lev A SPE 9.5MM@125# ASP LEVS		
2	Road Name...: KING ARTHUR RD Co. Rd. No...: CS Beginning At: AUSTIN RD Ending At...: D E	Length: 0.250MI Width(Ft): 28 Required Striping:	Proposed Construction: Superpave Design Lev A SPE 9.5MM@125# ASP LEVS		
3	Road Name...: KING HENRY RD Co. Rd. No...: CS Beginning At: AUSTIN RD Ending At...: D E	Length: 0.250MI Width(Ft): 28 Required Striping:	Proposed Construction: Superpave Design Lev A SPE 9.5MM@125# ASP LEVS		
4	Road Name...: ORMEWOOD AVE Co. Rd. No...: CS Beginning At: BOULEVARD Ending At...: WOODLAND AVE	Length: 1.000MI Width(Ft): 39 Required Striping: Center,	Proposed Construction: Superpave Design Lev B SPE 9.5MM@125# ASP LEVS		

NOTE: Pavement markings as noted in the LARP PROJECT REPORT sheet(s) or typical section sheet(s) of this contract will be required. Center line, edge line and lane lines, unless listed as REQUIRED STRIPING in the LARP PROJECT REPORT sheet(s) of this contract will not be required. All other existing pavement markings (school zone, railroad, stopbar, symbol, words, etc.) shall be replaced as per section 150.

NOTE: On projects with low or soft shoulders, the Contractor shall erect immediately ahead of construction operations LOW/SOFT SHOULDER warning signs at the project termini and at intervals not to exceed one mile.

Where the Contractor is not responsible for shoulder construction, the Local Government or other will furnish LOW/SOFT SHOULDER warning signs to the Contractor to pick up, transport, erect and maintain until the resurfacing of the project is completed. At such time, the Local Government shall maintain the signs until the shoulder is brought to proper grade. The Local Government will remove the signs.

NOTE: The cost of complying with these requirements will not be paid for separately, but shall be included in the overall bid submitted under the item, LUMP SUM TRAFFIC CONTROL.

Channelization devices for use on shoulders will not be required except at the areas designated by log mile. Steady burn lights will not be required on channelization devices used on the shoulders for this project.

NOTE: Superpave Mix Design Level shall be as noted in the LARP PROJECT REPORT Sheet(s) or typical section sheet(s) of this contract.

NOTE: Temporary striping is required in accordance with Section 150.04 of the Georgia Specifications. Placement of permanent pavement markings (those for which a pay item is included in the contract, Item 652) shall be delayed for a period of 30 days minimum after placement of the final surface course on each roadway.

Local Assistance Road Program (LARP)

The following is a list of street resurfacing projects approved by the Georgia Department of Transportation for inclusion into the 2002 LARP Program.

Street Name	Quad	Beginning At	Ending At	Council Districts Impacted
PR 8532-73 (121)				
BROWNS MILL ROAD	SE	SOUTHSIDE INDUSTRIAL PY	MACEDONIA RD	12
KING ARTHUR ROAD	SW	AUSTIN RD	DEAD END	11
KING HENRY ROAD	SW	AUSTIN RD	DEAD END	11
ORMEWOOD AVENUE	SE	BOULEVARD	WOODLAND AV	1

RCS# 3953
9/03/02
1:47 PM

Atlanta City Council

Regular Session

CONSENT I Pgs. 1-14; Except 02-R-1137; 02-R-1458

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
B Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

09/03/02 Council Meeting		
ITEMS ADOPTED ON CONSENT AGENDA		ITEMS ADVERSE ON CONSENT AGENDA
1. 02-O-1455	43. 02-R-1492	59. 02-R-1418
2. 02-O-1456	44. 02-R-1347	60. 02-R-1419
3. 02-O-1457	45. 02-R-1461	61. 02-R-1420
4. 02-O-1460	46. 02-R-1462	62. 02-R-1421
5. 02-O-1454	47. 02-R-1471	63. 02-R-1422
6. 02-O-1336	48. 02-R-1484	64. 02-R-1423
7. 02-O-1337	49. 02-R-1486	65. 02-R-1424
8. 02-O-1339	50. 02-R-1363	66. 02-R-1425
9. 02-O-1340	51. 02-R-1364	67. 02-R-1426
10. 02-O-1341	52. 02-R-1365	68. 02-R-1427
11. 02-O-1342	53. 02-R-1412	69. 02-R-1428
12. 02-O-1343	54. 02-R-1413	70. 02-R-1429
13. 02-O-1226	55. 02-R-1414	71. 02-R-1430
14. 02-O-1446	56. 02-R-1415	72. 02-R-1431
15. 02-O-1465	57. 02-R-1416	73. 02-R-1432
16. 02-R-1370	58. 02-R-1417	74. 02-R-1433
17. 02-R-1371		75. 02-R-1434
18. 02-R-1372		76. 02-R-1435
19. 02-R-1373		77. 02-R-1436
20. 02-R-1374		78. 02-R-1437
21. 02-R-1375		79. 02-R-1438
22. 02-R-1376		
23. 02-R-1378		
24. 02-R-1379		
25. 02-R-1380		
26. 02-R-1392		
27. 02-R-1468		
28. 02-R-1480		
29. 02-R-1481		
30. 02-R-1482		
31. 02-R-1483		
32. 02-R-1385		
33. 02-R-1479		
34. 02-R-1369		
35. 02-R-1439		
36. 02-R-1440		
37. 02-R-1495		
38. 02-R-1500		
39. 02-R-1501		
40. 02-R-1386		
41. 02-R-1388		
42. 02-R-1491		

1st Consent I Vote: 14Yeas; 0 Nays (See RCS #3953)
Items Removed from Consent: 02-R-1137; 02-R-1458

02-R-1379
(Do Not Write Above This Line)

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BY: CITY UTILITIES COMMITTEE

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ADOPTED BY

SEP 03 2002

COUNCIL

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee City Utilities

Date Sept 7, 2002

Chair Alan Spawls

Action
Fav, Adv, Hold (see rev. side)
Other _____

Members

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other _____

Members

Refer To

Refer To

Committee

Committee

Date

Date

Chair

Chair

Action
Fav, Adv, Hold (see rev. side)
Other _____

Action
Fav, Adv, Hold (see rev. side)
Other _____

Members

Members

Refer To

Refer To

FINAL COUNCIL ACTION
☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
SEP 03 2002

CERTIFIED
SEP 03 2002

CERTIFIED
SEP 03 2002

Richard Douglas Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

SEP 11 2002

MAYOR